

ORIGINAL

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

FEB 21 2006

at 3 o'clock and 48 min. PM  
SUE BEITIA, CLERK

Attorneys for Defendants  
WILLIAM P. BADUA,  
JEFFREY OMAI and  
SPENCER ANDERSON

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN,

Plaintiff,

vs.

WILLIAM P. BADUA;  
JEFFREY OMAI;  
SPENCER ANDERSON;  
NEIL PANG;  
and DOES 5-10,

Defendants.

) CIVIL NO. CV03-476 KSC  
)  
) NOTICE OF HEARING;  
) DEFENDANTS WILLIAM P.  
) BADUA, SPENCER ANDERSON  
) AND JEFFREY OMAI'S MOTION IN  
) LIMINE NO. 2 RE: PRECLUDING  
) TESTIMONY OF LEE DONOHUE  
) AND/OR TESTIMONY REGARDING  
) A CODE OF SILENCE;  
) MEMORANDUM IN SUPPORT OF  
) MOTIN; DECLARATION OF  
) KENDRA K. KAWAI; EXHIBIT "A";  
) CERTIFICATE OF SERVICE  
) Date: \_\_\_\_\_

Time: \_\_\_\_\_

Judge: Honorable Kevin S.C. Chang

TRIAL DATE: WEEK OF

MARCH 14, 2006

NOTICE OF HEARING

TO: JACK SCHWEIGERT, ESQ.  
550 Halekauwila Street, Room 309  
Honolulu, Hawai'i 96813

and

ARTHUR E. ROSS, ESQ.  
126 Queen Street, Suite 210  
Honolulu, Hawaii 96813

and

RORY SOARES TOOMEY  
1088 Bishop Street, Suite 1004  
Honolulu, Hawaii 96813

Attorneys for Plaintiff  
OFELIA COLOYAN

PLEASE TAKE NOTICE that the undersigned will bring the foregoing Motion on for hearing before the Honorable Kevin S.C. Chang, Magistrate Judge of the above-entitled Court, in his courtroom at the Prince Kuhio Federal Building, 300 Ala Moana Boulevard, Honolulu, Hawaii, on the \_\_\_\_ day of \_\_\_\_\_, 2006, at \_\_\_\_ o'clock \_\_.m., or as soon thereafter as counsel may be heard.

DATED: Honolulu, Hawaii, February 21, 2006.

CARRIE K.S. OKINAGA  
Corporation Counsel

By



KENDRA K. KAWAI  
MARIE MANUELE GAVIGAN  
Deputies Corporation Counsel  
Attorneys for Defendants


DEFENDANTS WILLIAM P. BADUA, SPENCER ANDERSON AND  
JEFFREY OMAI'S MOTION IN LIMINE NO. 2 RE: PRECLUDING  
TESTIMONY OF LEE DONOHUE AND/OR  
TESTIMONY REGARDING A CODE OF SILENCE

Defendants WILLIAM P. BADUA, SPENCER ANDERSON and  
JEFFREY OMAI (hereinafter collectively "Defendants"), by and through their  
attorneys, Carrie K.S. Okinaga, Corporation Counsel, and Kendra K. Kawai  
and Marie Manuele Gavigan, Deputies Corporation Counsel, hereby move this  
Honorable Court for an order, in limine, to preclude the testimony of Retired  
Honolulu Police Chief Lee Donohue and/or testimony regarding an alleged  
code of silence.

This motion is brought pursuant to Rule 7 of the Federal Rules of  
Civil Procedure, LR 16.9 and Rules 401, 402 and 403 of the Federal Rules  
of Evidence, and is based upon the memorandum of law attached hereto, as  
well as upon the record and files herein.

DATED: Honolulu, Hawaii, February 21, 2006.

CARRIE K.S. OKINAGA  
Corporation Counsel

By   
KENDRA K. KAWAI  
MARIE MANUELE GAVIGAN  
Deputies Corporation Counsel  
Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN,	)	CIVIL NO. 03-476 KSC
	)	
Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
vs.	)	
	)	
WILLIAM P. BADUA;	)	
JEFFREY OMAI;	)	
SPENCER ANDERSON;	)	
NEIL PANG;	)	
and DOES 5-10,	)	
	)	
Defendants.	)	
	)	
	)	
	)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the within was duly served by  
hand delivery to the following individuals at their addresses shown below on  
February 21, 2006:

JACK SCHWEIGERT, ESQ.  
550 Halekauwila Street, Room 309  
Honolulu, Hawai'i 96813  
and

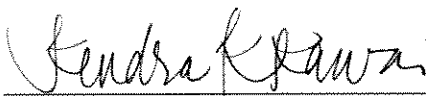
ARTHUR E. ROSS, ESQ.  
126 Queen Street, Suite 210  
Honolulu, Hawaii 96813  
and

RORY SOARES TOOMEY  
1088 Bishop Street, Suite 1004  
Honolulu, Hawaii 96813

Attorneys for Plaintiff  
OFELIA COLOYAN

DATED: Honolulu, Hawai'i, February 21, 2006.

CARRIE K.S. OKINAGA  
Corporation Counsel

By:   
KENDRA K. KAWAI  
MARIE MANUELE GAVIGAN  
Deputies Corporation Counsel

Attorney for Defendants